

311.1961 Removal of cornea or corneal tissue from decedent whose death defined as a coroner's case -- Conditions -- Who may remove.

- (1) In any case in which a patient is in need of a cornea or corneal tissue for a transplant, the coroner, medical examiner, or his appropriately qualified designee with training in ophthalmologic techniques may, upon the request of any person authorized under KRS 311.1929, provide or authorize the removal of the cornea or corneal tissue by a qualified physician under the following conditions:
 - (a) The decedent has been defined as a "coroner's case" as set forth by KRS 72.405(2), an autopsy has been ordered pursuant to KRS 72.410, and the cornea or corneal tissue are suitable for transplant;
 - (b) No objection by the next of kin is known by the coroner or medical examiner; and
 - (c) The removal of the cornea or corneal tissue will not interfere with the subsequent course of an investigation or autopsy or alter the postmortem facial appearance.
- (2) The medical examiner, coroner, or his appropriately qualified designee or any persons authorized under KRS 311.1929 shall not be held liable in any civil or criminal action for failure to obtain consent of the next of kin.
- (3) An individual certified by a department of ophthalmology in an accredited school of medicine as having received competent training, may remove corneas for gift after proper certification of death by a physician and in compliance with the provisions of KRS 311.1915, 311.1925, 311.1929, and 311.1935.

Effective: July 15, 2010

History: Repealed, reenacted, renumbered, and amended 2010 Ky. Acts ch. 161, sec. 26, effective July 15, 2010. -- Amended 1986 Ky. Acts ch. 481, sec. 1, effective July 15, 1986. -- Created 1980 Ky. Acts ch. 41, sec. 1, effective July 15, 1980.

Formerly codified as KRS 311.187.